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Attorneys for Plaintiff MARNELLE MAC DULA
individually and on behalf of similarly situated employees

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

MARNELLE MAC DULA, individually and
on behalf of all other similarly situated
employees,

Plaintiff,

vs.

IDEXX DISTRIBUTION, INC., a Delaware
Corporation; and DOES 1 to 100, inclusive,

Defendant.

Case No. 2:23-cv-01819-MCE-CKD

CLASS ACTION

**STIPULATION AND ORDER TO REMAND
THIS CASE TO STATE COURT**

Filed: July 19, 2023

Trial Date: None Set

This Stipulation and proposed Order is entered into between Plaintiff MARNELLE MAC DULA (“Plaintiff”) and Defendant IDEXX DISTRIBUTION, INC., (“Defendant”) (all collectively, the “Parties”), by and through their counsel of record, as follows:

WHEREAS Plaintiff filed a Class Action Complaint against Defendant in the Superior Court of California for the County of Sacramento, Case No. 23CV005044 on July 19, 2023;

WHEREAS Defendant removed the Action to the United States District Court for the Eastern District of California and filed a Notice of Removal on August 28, 2023, pursuant to the Class Action Fairness Act of 2005;

1 WHEREAS Plaintiff filed a Motion to Remand on September 22, 2023, and the hearing for that
2 motion was November 2, 2023;

3 WHEREAS Defendant filed an Opposition on October 6, 2023, to the Motion to Remand;

4 WHEREAS on December 6, 2023, the Parties entered into a stipulation to stay the proceedings
5 in this matter until 30 days after a scheduled mediation;

6 WHEREAS on December 7, 2023, the Court ordered that the action is stayed in its entirety until
7 thirty (30) days post-mediation, *i.e.*, April 26, 2024:

8 WHEREAS the Parties have met and conferred and stipulate that good cause exists to remand
9 this case back to State Court, Sacramento County Superior Court, Case No. 23CV005044;

10 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the
11 Parties, subject to the approval of the Court, as follows:

12 1. That this case should be remanded to Sacramento County Superior Court, Case No.
13 23CV005044.

14 **Shimoda & Rodriguez Law, PC**

15 Date: April 9, 2024

16 By: /s/ Justin P. Rodriguez

17 Galen T. Shimoda

18 Justin P. Rodriguez

19 Renald Konini

20 Attorneys for Plaintiff

21 **Ogletree, Deakins, Nash, Smoak & Stewart, P.C.**

22 Date: April 9, 2024

23 By: /s/ Alexandra M. Asterlin

24 Alexandra M. Asterlin

25 (as authorized on 4/4/24)

26 Attorneys for Defendant

ORDER

The COURT, having considered the above stipulation and finding good cause, HEREBY ORDERS that:

1. This case will be remanded to state court, Sacramento County Superior Court, Case No. 23CV005044. A certified copy of this Order shall be mailed by the clerk to the clerk of the Sacramento County Superior Court pursuant to 28 U.S.C. § 1447(c).

IT IS SO ORDERED.

Dated: April 9, 2024


MORRISON C. ENGLAND, JR.
SENIOR UNITED STATES DISTRICT JUDGE